

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOSE PARRA, }
Petitioner, }
v. } Civil Action No. 05-321 Erie
U.S. PAROLE COMMISSION, et al., }
Respondents. }

MEMORANDUM ORDER

This habeas corpus action was received by the Clerk of Court on October 27, 2005, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 11], filed on December 15, 2005, recommended that Petitioner's motion prohibiting Bureau of Prisons from transferring him until final disposition of petition for writ of habeas corpus [Doc. No. 7] be denied. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail and on Respondent. Objections were filed on December 21, 2005 [Doc. No. 12]. After *de novo* review of the motion and documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 27th day of December, 2005;

IT IS HEREBY ORDERED that the motion prohibiting Bureau of Prisons from transferring him until final disposition of petition for writ of habeas corpus [Doc. No. 7] is DENIED.

The Report and Recommendation [Doc. No. 12] of Magistrate Judge Baxter, filed on December 15, 2005, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record

Susan Paradise Baxter, U.S. Magistrate Judge